

**FILED**

**FEB 06 2018**

Clerk, U S District Court  
District Of Montana  
Billings

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HARRY EDWARD ALLEN, JR.,

Defendant.

CR 14-115-BLG-SPW

ORDER GRANTING  
RULE 17(B) MOTION

Defendant has filed a Rule 17(b) Motion (Doc. 121), wherein Defendant seeks issuance of a subpoena pursuant to F. R. Crim. P. 17(b), for attendance of this witness at the time of Defendant's sentencing. The court is satisfied that the defendant is financially unable to pay the fees of the witness and that the presence of said witness is reasonable to an adequate defense. Accordingly,

**IT IS HEREBY ORDERED** that counsel for Defendant shall provide said subpoenas to the Clerk of the U.S. District Court for issuance.

**IT IS FURTHER ORDERED** that the clerk shall issue the subpoena to the following individual, requiring his presence at the sentencing on **Friday**,

**February 16, 2018 at 10:30 a.m.** in the Snowy Mountains Courtroom at the

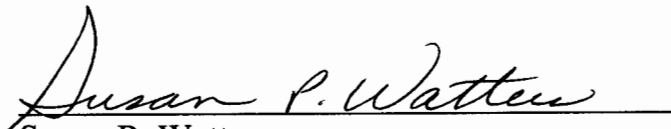
United States Courthouse in Billings, Montana:

Deputy U.S. Marshal Mike Smith  
c/o United States Marshals  
District of Montana  
2601 2<sup>nd</sup> Avenue North, Ste. 2300  
Billings, MT 59101

The United States Marshal shall serve said subpoena, and the costs and fees of the witness so subpoenaed shall be paid in the same manner in which similar costs and fees are paid in case of witnesses subpoenaed on behalf of the government.

The Clerk is directed to forthwith notify counsel and the U.S. Marshals Service of the making of this order.

DATED this 6<sup>th</sup> day of February, 2018.

  
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Susan P. Watters  
United States District Court